

**REMARKS**

**Summary Of The Office Action & Formalities**

Claims 7, 9-11, 15 and 18-22 are all the claims pending in the application. By this Amendment, Applicant is amending claims 11, 18, 19, and 22. No new matter is added.

Claim 20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims.

Claims 7, 9-11, 15 and 18-22 are rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth at pages 2 and 3 of the Office Action. Applicant is amending the claims to overcome this rejection.

The Examiner requires the specification to be amended to provide a description relating to the following recitations: tire forward rotational direction; tire is mounted on a vehicle; and a vehicle having a rotating mount (rim) and a pneumatic tire mounted thereon for rolling support of the vehicle. Applicant is amending the specification accordingly.

Applicant's Amendment of September 22, 2003 successfully traversed the rejection of the claims in view of JP '204 and EP '300. Accordingly, the Examiner has withdrawn this rejection. However, the Examiner now rejects the claims in view of newly cited art as follows:

1. Claims 7, 9-11, 15, 18-19 and 21-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Japan '410 (JP 3-38410).

2. Claims 7, 9-11, 15, 18-19 and 21-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smithers Scientific Services, Inc. (footprint on page 62, March 31, 1989) and Fontaine (USP 5,343,918).

Applicant respectfully traverses.

**Claim Rejections - 35 U.S.C. § 102**

*1. Claims 7, 9-11, 15, 18-19 And 21-22 In View Of Japan '410 (JP 3-38410).*

In rejecting claims 7, 9-11, 15, 18-19 and 21-22 in view of Japan '410 (JP 3-38410), the grounds of rejection state:

Japan '410 discloses a pneumatic tire having a tread including blocks defined by circumferential grooves and transverse grooves wherein the blocks have sipes. See figures 1 and 4. The tread has a non-directional tread pattern. See figures 1 and 4. The footprint of the tire is illustrated in 4. On one side of the tire, the tire has sipes, which at a same axial distance are substantially parallel to the contour of an edge of the footprint or a tangent to the contour of an edge of the footprint. See figure 4. On the other side of the tire, the tire has sipes, which at a same axial distance are substantially parallel to the contour of the other edge of the footprint or a tangent to the contour of the other edge of the footprint. See figure 4. Japan '410's tire, therefore, has sipes, which at a same axial distance are substantially parallel to the contour of the trailing edge of footprint or a tangent to contour of the trailing edge of the footprint.

The claimed vehicle is anticipated by Japan '410. One of ordinary skill in the art would readily understand that Japan '410's tire is mounted on a rim of a vehicle in order to be used for its intended purpose. The description of the sipe being in a trailing region of the block fails to require sipe location different from that disclosed by Japan '410.

Office Action at pages 4-5. Applicant respectfully disagrees.

The sipe arrangement of Japan '410 is significantly different from that of the present invention defined by claims 18 and 19.

Specifically, in Fig. 1 of Japan '410, which figure would correspond to Fig. 1 of the present application, the sipe formed in a region at a trailing edge of each of blocks *at shoulder sides* of the pneumatic tire is not inclined *opposite* a tire forward rotational direction (at the ground contact configuration of the mounted tire as the sipe extends toward the axial direction outer-side of the tire). To the contrary, the sipe is inclined *toward* the tire forward rotational direction. Moreover, even if, for the sake of argument, the tire forward rotational direction of Japan '410 is made opposite to that shown in Fig. 1 thereof, the sipe formed in a region at a trailing edge of each of blocks *at shoulder sides* of the pneumatic tire is not inclined *opposite* a tire forward rotational direction but inclined *toward* the tire forward rotational direction.

By contrast, in the present invention as recited in claims 18 and 19, the sipe formed in a region at a trailing edge of each of blocks *at shoulder sides* of the pneumatic tire is inclined *opposite* a tire forward rotational direction at the ground-contact configuration of the mounted tire as the sipe extends toward the axial direction outer-side of the tire.

Regarding claim 11, Applicant has amended this claim to recite that the positions of the sipes of the selected blocks are relatively adjusted in a circumferential direction of the tire such that all of the sipes in a trailing edge region of the selected blocks are inclined opposite a tire forward rotational direction. Japan '410 clearly lacks this feature.

In view of the foregoing distinctions, the Examiner is kindly requested to reconsider and withdraw the rejection of claims 7, 9-11, 15, 18-19 and 21-22.

**Claim Rejections - 35 U.S.C. § 103**

*1. Claims 7, 9-11, 15, 18-19 And 21-22 In View Of Smithers Scientific Services, Inc. (footprint on page 62, March 31, 1989) and Fontaine (USP 5,343,918).*

In rejecting claims 7, 9-11, 15, 18-19 and 21-22 in view of Smithers Scientific Services, Inc. (footprint on page 62, March 31, 1989) and Fontaine (USP 5,343,918), the grounds of rejection state:

**Smithers Scientific Services, Inc.**

Smithers Scientific Services, Inc. appears to be available as prior art under 35 USC 102(a) or (b) since it was cited in (1) the reexam of US 5176766 as "Smithers Scientific Services, Inc., 'Footprints', Apr. 30, 1985, etc.", (2) US 5358022 as "Smithers Scientific Services, Inc., random footprints 1985-1989", and (3) US 5503206 as "Smithers Scientific Services, Inc., random footprints 1985-1989".

Page 62 of Smithers Scientific Services, Inc. (dated March 31, 1989) shows a footprint of a pneumatic tire. The footprint demonstrates that the tread of the tire has a nondirectional pattern comprising circumferential grooves, transverse grooves and a pair of shoulder blocks wherein each shoulder block has three sipes. Smithers Scientific Services, Inc. does not recite a vehicle. However, it would have been obvious to mount the tire of Smithers Scientific Services, Inc. on a car since Fontaine, also directed to a tire including shoulder blocks having plural sipes, suggests using such a tire for a car - one of ordinary skill in the art readily understanding that a pneumatic tire is mounted on the rim of a car. On one side of the tire, the tire has sipes, which at a same axial distance are substantially parallel to the contour of an edge of footprint or a tangent to contour of an edge of the footprint. See footprint shown on page 62 of Smithers Scientific Services, Inc. On the other side of the tire, the tire has sipes, which at a same axial distance are substantially parallel to the contour of the other edge of the footprint or a tangent to the contour of the other edge of the footprint. See footprint shown on page 62 of Smithers Scientific Services, Inc.. The tire having the footprint on page 62 of Smithers Scientific Services, Inc., therefore, has sipes, which at

a same axial distance are substantially parallel to the contour of the trailing edge of the footprint or a tangent to the contour of the trailing edge of the footprint. The claims fail to exclude having such sipes in the leading edge region. As to the dependent claims: The tread pattern is clearly nondirectional as claimed in claim 21. As to claims 9 and 10, the description relating to "inner side" reads on and fails to exclude sipes extending across most of the width of the block as indicated by the footprint on page 62 of Smithers Scientific Services, Inc. As to claims 7 and 15, it would have been an obvious to use more than two rows of blocks while satisfying the limitation regarding the sipe being substantially parallel to trailing edge in view of (1) the orientation of the sipes and leading and trailing edges of the footprint shown on page 62 of Smithers Scientific Services, Inc. and (2) Fontaine's suggestion to use four block in a non-directional tread (figure 2).

Office Action at pages 5-6. Applicant respectfully disagrees.

The sipe arrangement of the footprint on page 62 of Smithers Scientific Services, Inc., as the primary reference, is significantly different from that of the present invention defined by claims 18 and 19, for reason similar to those set forth above with respect to Japan '410. Furthermore, the sipe arrangement of Fontaine as the second reference is no different from that of Japan '410, either. Thus, even if Smithers Scientific Services were to be combined with Fontaine, the combination would not teach or suggest the unique sipe arrangement as defined by the present claims.

Accordingly, present claims 18 and 19 are not only novel but also have sufficient inventiveness over the cited references and thus the 103(a) rejection should be removed.

In view of the foregoing distinctions, the Examiner is kindly requested to reconsider and withdraw the rejection of claims 7, 9-11, 15, 18-19 and 21-22.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No. 09/851,958

Attorney Docket No.: Q64221

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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